ORIGINAL SURVEY

RETURN TO
JAS. A. CLAYTON & CO.
(A CORPORATION)
SAN JOSE, CALIFORNIA.

Josephine H. P. Muntz

OF TITLE

TO

Lot on West line of Tenth St. 85 10 3/4 feet N. of San Salvador. N. 45 + 149.

CITY OF SAN JOSE,
COUNTY OF SANTA CLARA,
STATE OF CALIFORNIA,
As Shown by the Records of Said County.

Dated Sept. 21 *1904.*

MADE AT THE REQUEST OF

Jos. H. Rucker Co

San Jose Abstract Company,
INCORPORATED—APRIL, 1891.
BANK OF SAN JOSE BUILDING,
SAN JOSE, CALIFORNIA.

San Jose Abstract Co.

– Sheehan. Nept dow – has acid

abstract.

ESTABLISHED 1867 — INCORPORATED 1891

San Jose Abstract Company

CAPITAL STOCK 150,000 PAID UP 123,000

OFFICES: SAN JOSE ABSTRACT COMPANY BUILDING

74 NORTH FIRST ST. SAN JOSE, CAL.

Certificate of Title

No 29522

Made at the request of JAS.A.CLAYTON & CO.

After a careful examination of the official records of the County of Santa Clara, State of California, except those hereinafter mentioned; in relation to the title to that certain parcel of land hereinafter described; the

San Jose Abstract Company

A CORPORATION, ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF CALIFORNIA

hereby certifies that said title as appears from said records was on November 12,1888 vested in MARY J.ABBOTT, unencumbered.

Description of the Property Covered by this Certificate

All that *certain parcel of land situate in the* City of San Jose, *County of Santa Clara, State of California, described as follows, to-wit:*

Commencing at a point on the Westerly line of Tenth Street distant thereon 85 feet ten and three quarters inches Northerly from the point of intersection of the Westerly line of Tenth Street with the Northerly line of San Salvador Street; thence running Northerly and along the West line of Tenth Street 45 feet; thence at right angles Westerly parallel with San Salvador Street 149 feet; thence at right angles Southerly and parallel with Tenth Street 45 feet; thence at right angles Easterly and parallel with San Salvador Street 149 feet to the point of beginning; being a part of Block 3 Range 10 South of the base line in said City of San Jose.

This certificate does not include an examination of, or a report on, Municipal taxes, street or other assessments levied by any incorporated City, except the City of San Jose, nor existing roads.

In Testimony Whereof, the San Jose Abstract Company *has caused these presents to be duly signed by its* MANAGER *under its corporate seal, this* TWENTY-FIFTH *day of* NOVEMBER *A. D., 19* 18.

San Jose Abstract Company

By J. Edwards

its Manager.

Continuation

Of Abstract to lot on North West corner of Tenth & San Salvador Streets, North 275 + 149. as to the lot described in the deed from E. A. Abbott and wife to Vincent Peel set forth on following page.

Subsequent to November 12. 1888 the date of-said Abstract.

Ephraim A. Abbott
and Mary J. Abbott
his wife.

To

Vincent Peel.

Deed

Dated November. 12. 1888

Cons: $10.

Do grant bargain sell convey and confirm unto second party and to his heirs and assigns forever, all that lot of land situate in the City of San Jose, County of Santa Clara, described as follows:

Commencing at a point on the Westerly line of Tenth Street distant $85\frac{10\,3/4}{12}$ feet Northerly from the point of intersection of the Westerly line of Tenth Street with the Northerly line of San Salvador Street, thence running Northerly and along the West line of Tenth Street 45 feet to South East corner of land of Tipton, thence at right angles Westerly parallel with San Salvador Street 149 feet to West line of land of Grantors, thence at right angles Southerly and parallel

to Tenth Street 130 $\frac{10\,3/4}{12}$ feet to North line of San Salvador Street, thence at right angles Easterly and along said North line of San Salvador Street 42 feet, thence at right angles Northerly and parallel with Tenth Street 85 $\frac{10\,3/4}{12}$ feet, thence at right angles Easterly and parallel with San Salvador Street 107 feet to the place of beginning.

Being parts of Lots 7 and 8 Block 3 Range 10 South of the base line in said City.

(Sgd) Ephraim A. Abbott (seal)
Mary J. Abbott (seal)

Ackd November 12. 1888

By Ephraim A. Abbott and Mary J. Abbott his wife.

Before Thos Glenn N.P.

Recorded November 27. 1888

Liber 110 of deeds p. 261.

Taxes

1888-89 Now due and payable.

No Judgment Liens.

San Jose December 17. 1888. 9 a.m.
Edwards & Pitman
Searchers of Records.

Continuation
of
The Foregoing Abstract.

AS TO

THE SAME PROPERTY.

Vincent Peel

To

The Home Mutual Insurance

Company of California.

M O R T G A G E

Dated December 19,1888

To secure the payment of a promissory note of even date herewith for the sum of $1800, payable in one year, with interest as in said note specified, and to secure future advances.

Conveys and Mortgages to the Mortgagee (same real property described in Liber 110 of Deeds,page 261 E.A. Abbott et ux to Vincent Peel)

Acknd. December 26,1888

Before James B. Capp, N.P.

Recorded December 26,1888

Book 73 Mortgages, Page 630

W358

See forward for Satisfaction see page 27

In the Superior Court of the County of Santa Clara
State of California.

In the Matter of the Estate
— of —
Vincent Peel, deceased.

Estate No. 2493 Reg. G. Page 104

1890

May 12 Exemplied Copy of the last will and testament of Vincent Peel, together with a copy of the order admitting said will to probate, in the District Court of the County of Des Moines, State of Iowa, filed.

The will is as follows:-

"In the name of God, Amen: I, Vincent Peel, of the City of Burlington,County of Des Moines, State of Iowa, being in ill health, but, thanks be to God, in sound mind and memory, do make and publish this my last will and testament,that is to say:-

First: I give and bequeath to my beloved wife Mary Elizabeth Peel, the following described real estate situate in Des Moines County,State of Iowa, (describing same) with the dwelling house and improvements thereon, also all furniture, utensils clothing and personal property of which I am possessed, except such as hereinafter provided for, to have and to hold to her, her heirs and assigns forever.

Second: Unto my wife, the saidMary Elizabeth Peel, I give and bequeath the rents accruing from

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

my business, and dwelling houses situate in Des Moines County, State of Iowa, (describing same) taxes and necessary repairs and expense first being paid, during the term of her natural life, or until she again marries.

Third: All monies of which I am possessed, at death shall be securely invested and the interest arising therefrom I give and bequeath unto my wife until her death or re-marriage.

Fourth: Upon the death or remarriage of Mary Elizabeth Peel, my wife, my property situate in Des Moines County, State of Iowa (describing same) with all the improvements thereon, and the monies invested as hereinbefore directed, shall, by this will and testament be divided in three equal portions, to my children Vincent Peel, Emma Peel and Elizabeth Peel, to have and to hold to them, their heirs and assigns forever.

Fifth: I hereby make and ordain my beloved wife Mary E. Peel, and my dear brother Thomas Peel, Executors of this my last will and testament.

In testimony whereof, I have hereunto set my hand and seal at Burlington, Iowa, this 7th day of February in the year of our Lord one thousand eight hundred and seventy eight.

Vincent Peel (Seal)

May 12 Petition of Mary E. Peel for probate of Will filed, Shows:-

That Vincent Peel died on April 18th, 1889 in Burlington, Iowa; that he left a last will and testament, that has been duly admitted to probate

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1890 in the County of Des Moines, State of Iowa, and one exemplified copy thereof has been duly filed in this Court.

That your petitioner, the widow of said deceased and Vincent Peel and Emma Rodriques, a son and daughter of said deceased and your petitioner are the sole surviving heirs and devisees under said will.

That all of said heirs and devisees are over the age of majority and are residents of the City of San Jose, County of Santa Clara, State of California.

That said deceased left an estate in Santa Clara County, California, consisting of both real and personal property. That the real estate consists of the homestead fronting 45 feet on the West side of Tenth Street, and 145 feet deep, between San Carlos and San Salvador Street, of the probable value of $4500, and the rental value thereof is $300 per annum. That the personal property is of the probable value of $500.

That petitioner is named as Executrix in said will.

Prays, that said will be admitted to probate and that petitioner be appointed Executrix thereof.

Mary Elizabeth Peel.

C. D. Wright,

Attorney for Petitioner.

May 12 Order made, filed and entered, appointing Friday May 23d, 1890 at 10 A.M. for hearing on probate of Will, that notice thereof be given by publication not less than 10 days before said May 23d,

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1890	
	1890, by publication in the San Jose Daily Mercury, a newspaper &c. and copies of notice mailed to heirs of testator, postage prepaid, at least ten days before said date of hearing. Prob. Rec. 35 page 630
1890 May 12	Affidavit of Wm. A. Bowden of Mailing Notice to heirs, filed, deposes: That on the 12th day of May 1890 he deposited in the United States Post Office, at the City of San Jose, in said County, a true copy of the within notice (Clerk's Notice of time and place appointed for probate of will of decedent) enclosed in an envelope, with the proper and necessary postage prepaid thereon, and addressed to each of the following named persons at their respective places of residence, to wit:- Vincent Peel, San Jose, Santa Clara County, Cal. Emma Rodriquez, San Jose, Santa Clara County, Cal. Mary E. Peel, San Jose, Santa Clara County, Cal. Duly Verified.
May 23	Affidavit of H. J. Alexander, principal Clerk of the San Jose Mercury Publishing and Printing Company, the printers of the San Jose Daily Mercury, a newspaper published and printed in the City of San Jose, Santa Clara County, California, of publication of Notice of time set for probate of will, in said newspaper for 11 successive days, from May 13th, 1890 to May 23d, 1890 inclusive, daily, first and last dates inclusive, filed.

1890	
	Duly Verified.
May 23	Testimony on probate of will taken and filed.
May 23	Certificate of proof of will made and filed.
May 23	Order made, filed and entered, admitting will to probate and appointing Mary Elizabeth Peel, Executrix thereof, and directing Letters Testamentary to issue to her upon taking the oath and giving bond in sum of $1600.00. Prob. Rec. 36 page 48
May 23	Will Roll made and filed, and will and certificate of proof of will recorded in Book G of Wills, page 416.
June 16	Bond of Mary E. Peel, as Executrix in penal sum of $1600.00 approved, filed and recorded. Book F Prob. Bonds, page 108
June 23	Letters Testamentary issued to Mary E. Peel and duplicate with oath annexed filed and recorded. Book E Letters Testamentary, p. 123.
July 10	Order made, filed and entered, appointing A.J. Jacks, A. J. Polland, and David Parker, appraisers. Prob. Rec. 36 page 260
July 16	Order made, filed and entered, appointing Albert

1890

G. Poland, Andrew J. Jack and David Parker, Appraisers to appraise estate of deceased in place of the parties heretofore appointed.

Prob. Rec. 36 page 287.

July 17 Inventory and Appraisement filed, Shows:

Real Estate:

In the City of San Jose, County of Santa Clara, State of California, Commencing at a point on the Westerly line of Tenth Street, distant 85 feet and 10 3/4 inches Northerly from the corner formed by the intersection of the Westerly line of Tenth Street, with the Northerly line of San Salvador Street, and running thence Northerly and along the Westerly line of Tenth Street 45 feet; thence at right angles Westerly 149 feet; thence at right angles Southerly 45 feet; and thence at right angles Easterly 149 feet to the place of beginning, and the dwelling house and improvements thereon, being the premises wherein the deceased resided with his family, and occupied as the family residence at the time of his death.

Valued at	$3500.00.
Personal property valued at	408.00
Total	$3908.00

All of which is community property.

Duly Verified.

July 17 Petition of Executrix for decree setting apart a homestead to her, filed, Shows:-

1890

That petitioner and her husband Vincent Peel, now deceased, came to California, in the year 1888 and located in San Jose, Santa Clara ---- State of California, for the purpose and intention of making it their permanent residence that on the 12th day of November 1888, they purchased the lot and premises hereinafter described, and erected a dwelling house thereon, furnished the same in most part with the furniture and household goods brought with them from the East, and petitioner and her said husband took up their permanent residence therein, and petitioner has thence hitherto and now occupies the said house and premises as her home, and has continuously resided therein, except while she was temporarily absent in the East, attending to business.

That said Vincent Peel went East to settle his business affairs, with a view of retiring permanently to his said home to reside permanently when on the 18th day of April 1889 while on a Miss. Steamer, near the City of Burlington, Iowa, he was accidentally drowned.

That he left him surviving his widow Mary E. Peel, your petitioner, and two children, Vincent M. Peel, a son aged 28 years, and a daughter Emma Rodriques, age 26 years, all residing in the City of San Jose, County of Santa Clara, State of California.

(Here follows recitation of proceedings had in the estate, including the filing of the Inventory and appraisement)

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

1890

That the property of the estate has been appraised as follows:- the premises claimed as a homestead $3500, and household furniture &c. $500- that the said premises are described as follows, to wit: (Same as described in the Inventory and Appraisement herein)

That all of the property of said deceased was community property, having been acquired by said deceased and petitioner by their joint industry and exertions since their marriage.

That the said premises and the whole thereof does not exceed in value the sum of $5000.

That no declaration of homestead as required by law has ever been made by either deceased or your petitioner.

Prays the order of this Court setting apart to her in fee, the said lot and premises and the dwelling thereon, as and for a homestead, and also an order setting apart to her sole and separate use all of the household goods &c. that is by law exempt from execution.

Petition duly verified by petitioner July 17th 1890.

July 17 Order made, filed and entered Friday July 25th, 1890 at 10 A.M. at the Court Room of said Court, as the Time and place for the hearing of said petition and that personal Notice of the hearing thereof be served upon Vincent M. Peel and Emma Rodriques, at least five days before the hearing.

Prob. Rec. 36 page 293.

1890	
July 17	Citation issued to Vincent M. Peel and Emma Rodriques, to appear on Friday July 25th, 1890 and show cause, if any they have, why the petition of Mary E. Peel, asking the setting apart to her of a Homestead, and all personal property exempt from execution should not be granted by said Court.
July 19	Citation returned and filed, served upon Vincent M. Peel and Emma Rodriques on July 18, 1890 by Sheriff of Santa Clara County.
July 26	Decree setting apart homestead and personal property entered and filed. Recites petition filed herein July 17th, 1890 Order appointing Friday July 25th, 1890 for hearing said petition, and proofs made on the hearing hereof. Ordered, adjudged and decreed that all that certain lot or parcel of land, situate in the City of San Jose, County of Santa Clara, State of California, which is described as follows:- Commencing at a point on the Westerly side of Tenth Street, distant 85 feet 10 3/4 inches Northerly from the corner formed by the intersection of the Westerly line of Tenth Street with the Northerly line of San Salvador Street, and running thence Northerly and along the Westerly line of Tenth Street 45 feet; thence at right angles Westerly 149 feet; thence at right angles Southerly 45 feet; and thence at right angles Easterly 149 feet to the place of beginning, to-

1890

gether with the dwelling house thereon, and all appurtenances, be and the same is hereby set apart in fee to and for the sale and separate use of the surviving widow of deceased, Mary Elizabeth Peel.

Further ordered that all of the personal property mentioned in the Inventory herein, except the Piano, be and the same is hereby set apart for the sole and separate use of said widow Mary Elizabeth Peel, and that none of the foregoing described property shall be subject to Administration.

Further ordered, that a certified copy of this order be filed in the office of the County Recorder of Santa Clara County.

In Open Court July 25, 1890.

Prob.Rec. 36 page 375

John Reynolds,

Superior Judge.

N O T E:- A certified copy of foregoing decree recorded in Recorders Office, Santa Clara County, August 7th, 1890 in Book T Miscellaneous, page 102.

Mary E. Peel

To

V. M. Peel, the son
of said first party

DEED OF GIFT.

Dated July 7, 1893

In consideration of the sum of the love and affection by her for him, one one dollar, gold coin &c.

Does grant, bargain and sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces, or parcels of land situate in the City of San Jose, County of Santa Clara, State of California, bounded and described as follows, to wit:-

The premises situate 355 on the West side of South Tenth Street between San Carlos and San Salvador Streets in the City of San Jose, Santa Clara County, California.

(and other real property)

Acknd. July 7th, 1893

Before W. H. Brundidge, N.P.

Recorded July 7, 1893.

Book 158 Deeds, page 542.

Vincent M. Peel

To

Mary Elizabeth Peel

D E E D.

Dated July 18, 1893

Cons. $10-

Does grant, bargain, sell, convey and confirm unto the said party of the second part, and to her heirs and assigns forever, all those certain lots, pieces or parcels of land situate in the City of San Jose, County of Santa Clara, State of California, bounded and described as follows, to wit:-

Being the premises situate 355 on the West side of South Tenth Street, between San Carlos and San Salvador Streets.

(and other property)

Acknd. July 18, 1893

Before W. G. Hawley, N.P.

Recorded July 24, 1893

Book 158 Deeds, page 619

Mary Elizabeth Peel (a widow)

— To —

Albert Ira Smith

D E E D.

Dated August 24, 1903

Cons. $3800.00

Does grant, bargain, and sell, convey and confirm unto the said party of the second part, his heirs and assigns forever, all that certain lot, piece or parcel of land situate in the City of San Jose, County of Santa Clara, State of California, bounded and described as follows, to wit:-

Commencing at apoint on the Westerly line of Tenth Street, distant 85 feet and 10 3/4 inches Northerly from the point of intersection of the Westerly line of Tenth Street with the Northerly line of San Salvadore Street; thence running Northerly and along the West line of Tenth Street 45 feet; thence at right angles Westerly parallel with San Salvador Street 149 feet; thence at right angles Southerly and parallel with Tenth Street 45 feet; thence at right angles Easterly and parallel with San Salvador Streets 149 feet to the point of beginning, being a part of Block 3 Range 10 South of the base line in said City of San Jose.

Acknd. August 24, 1903

Before Walter J. Lean, N.P.

Recorded August 24, 1903

Book 268 Deeds, page 381.

Albert Ira Smith and

Ethel May Smith

— To —

Mary Elizabeth Peel

MORTGAGE.

Dated August 24, 1903

To secure the payment of $1000.00.

Covers (Same premises described in Liber 268 of Deeds, page 381 Mary E. Peel to Albert Ira Smith)

Recorded August 24,1903

Book 170 Mortgages, page 531

Satisfied in full on the margin of the record September 12, 1903 by Mary Elizabeth Peel and attested by County Recorder.

Albert Ira Smith and

Ethel May Smith

— To —

Mary E. Peel

M O R T G A G E.

Dated September 12,1903

To secure the payment of $1800.00 in one year, with interest thereon at 8 1/2% per annum, payable monthly or to compound.

Mortgagors Mortgage to the Mortgagee, all that certain piece and parcel of land situate in the City of San Jose, County of Santa Clara, State of California, bounded and described as follows:-

(Same as described in Liber 268 of Deeds, page 381 Mary Elizabeth Peel to Albert Ira Smith)

Acknd. September 12, 1903

Before Walter J. Lean, N.P.

Recorded September 12,1903

Book 170 Mortgages,page 571

Satisfied in full on the margin of the record Oct 7.1907 by Mary E Peel and duly attested by the County Recorder

Entered by San Jose Abstract Co.

By Stowers
SEARCHER.

In the Superior Court of the County of Santa Clara,
State of California.

Mary E. Peel Plaintiff

vs

Albert Ira Smith Defendant.

L I S P E N D E N S.

Dated January 12, 1904

To obtain a decree of Court declaring that a certain conveyance executed by said Mary E. Peel to the said Albert Ira Smith, and purporting to convey to him the hereinafter described real property was obtained by false and fraudulent representations, and declaring the same to be void, and decreeing that the said deed or conveyance be annulled, cancelled, rescinded and set aside.

That the land described in said conveyance, and the title to which is affected by this suit or action, is described as follows:-

That certain lot, piece or parcel of land situate in the City of San Jose, Santa Clara County, California, and commencing at a point on the West line of South Tenth Street, distant 85 feet 10 3/4 inches Northerly from the point of intersection of the Westerly line of Tenth Street, with the Northerly line of San Salvadore St. thence running Northerly and along the West line of Tenth Street 45 feet; thence at right angles Westerly parallel withSan Salvador Street 149 feet; thence at right angles Southerly and parallel with Tenth Street 45 feet; thence at right angles Easterly and parallel with San Salvador Street 149 feet to the point of beginning, Being a part of Block 3 Range 10 South of the base line in the City of San Jose.

Saml. G. Tompkins.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

Attorney for Plaintiff.

Recorded January 12, 1901

Book 7 Lis Pendens, page 228

Case No. 15186 Reg. C. Page 291

Dept. No. 3

1904	
Jan. 12	Complaint filed.
Jan. 14	Summmons issued.
Jan. 29	Motion and order granting defendant 10 days additional time to appear. Min. Book D page 313.
Feb. 5	Demurrer of defendant by his Attorney W.B.Hardy, filed.
Feb. 5	Motion of defendant to strike out parts of Complaint filed.
Feb. 12	Demurrer and Motion to strike out argued and submitted. Min. Book D page 32
Feb. 19	Order entered sustaining demurrer of defendant, 10 days leave amend. Min. Book C page 330
Feb. 29	Order entered granting plaintiff 5 days additional time to amend. Min. Book D page 337

1904	
Mch. 5	Amended Complaint filed.
Mch. 17	Demurrer of Defendant to Amended Complaint, filed.
Mch. 17	Motion of defendant to strike out parts of Amended Complaint filed.
Apl. 1	Demurrer of defendant to Amended Complaint and motion to strike out argued and submitted. Min. Book D page 357
Sept. 8	Order entered sustaining demurrer of defendant to amended Complaint. Min. Book D page 361
Apl. 29	Order entered, Plaintiff refusing to amend his complaint. Judgment ordered for defendant. Min. Book D page 375
May 6	Judgment of dismissal of action and for costs, made, filed and entered. Judgment Book 2 page 225.
May 6	Cost Bill of defendant filed.
May 7	Judgment Docketed. Roll made and filed.

Albert Ira Smith,

Claimant

DECLARATION OF HOMESTEAD

Dated July 16, 1904

Do certify and declare that I am the head of a family, that I am married, and that I do now at the time of making this declaration, actually reside with my family, consisting of a wife and --- children on the land and premises lying and being in the City of San Jose, County of Santa Clara, State of California, and described as follows:-

(Same as described in Liber 268 of Deeds, page 381 Mary Elizabeth Peel to Albert Ira Smith)

That it is my intention to use and claim the said lot of land and premises above described with the dwellinghouse thereon, and its appurtenances as a Homestead, and I do hereby select and claim the same as a Homestead.

Actual cash value estimated to be $4500.

Acknd. July 16, 1904

Before H. J.Dougherty, N.P.

Recorded July 16, 1904

Book K Homesteads, page 256

TAXES

STATE COUNTY & CITY.

Fiscal Years

1888-1889)
)
To : PAID
)
1903-1904)

1904-1905 Lien Attached.

NO JUDGMENT LIENS.

The foregoing CONTINUATION consisting of pages 4 to 25 inclusive, made at SAN JOSE, CALIFORNIA, SEPTEMBER TWENTY-FIRST, 1904 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY.

By J. C. Edwards

Manager.

Continuation of The Foregoing Abstract.

AS TO

THE SAME PROPERTY.

Home Fire and Marine Insurance Company
of California.

— To —

Vincent Peel.

SATISFACTION OF MORTGAGE.

Dated October 3, 1904.

Recites, Whereas by resolution of its Board of Directors and by decree of the Superior Court of the City and County of San Francisco State of California, dated December 18, 1900 and filed and entered December 20, 1900 upon proceedings duly had for that purpose the corporate name of the Home Mutual Insurance Company a corporation and was duly changed to Home Fire and Marine Insurance Company of California and said corporation is now transacting business under said name last mentioned; and whereas, the debt secured by the Mortgage hereinafter described has been paid to it in full.

Now Therefore &c does hereby satisfy and discharge that certain Mortgage made by Vincent Peel to said Corporation under its name of Home Mutual Insurance Company bearing date December 19, 1888 and recorded in Volume 73 of Mortgages, page 630 in the County Recorder's office of Santa Clara County, California.

(Corporate seal) (Sgd) Home Fire and Marine Insurance Company of California.
By Wm. J. Dutton, President.
Attest: Frank Bangs Secretary.

Acknd. October 3, 1904

Before James Mason, N. P.
City and County of San Francisco, California.

Recorded October 8, 1904.

(over)

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

Albert Ira Smith and
Ethel May Smith (his wife)
of the first part
— and —
J. A. Desimone and
Frank H. Benson
of the second part
— and —
Joseph Desimone
of the third part.

DEED OF TRUST.

Dated October 8, 1904.

To secure to the third party the payment of the sum of $2500 with interest &c

Also additional sums.

Do grant, bargain, sell, and convey unto parties of the second part, their successors or assigns the following real property situate in the City of San Jose, County of Santa Clara, California, to wit:-

(same as in Liber 268 of Deeds, page 381 Mary Elizabeth Peel to Albert Ira Smith)

Upon trust to reconvey the same unto Albert Ira Smith his heirs and assigns provide repayment be made of all sums due third part. If default be made in the repayment of any sums due third party, second parties to sell the above granted and described premises at Public auction after giving due notice by Publication.

Acknd. October 8, 1904.

Before J. J. Inman, N. P.

Recorded October 8, 1904

Liber 10 of Trust Deeds, page 331.

June 30/09 on page 35

TAXES

STATE COUNTY AND CITY.

Fiscal years

1904-1905 Land all paid.

Mortgage Interest Mary E. Peel.

1st Installment paid.

2nd Installment due and payable.

1905-1906 Now a Lien.

NO JUDGMENT LIENS.

The foregoing CONTINUATION consisting of pages 26 to 29 inclusive, made at SAN JOSE, CALIFORNIA, APRIL TWENTIETH 1905 at Nine o'clock A. M.

SAN JOSE ABSTRACT COMPANY

By J. C. Edwards

Manager.

Continuation of the Foregoing Abstract
as to
The Same Property

Albert Ira Smith and
Ethel M. Smith, his wife
— TO —
Henry Hecker

D E E D

Dated April 24, 1905

Cons:$10.

Grant, bargain, sell, convey and confirm unto the said party of the second part and to his heirs and assigns forever, all that certain parcel of land in the City of San Jose, County of Santa Clara, State of California, bounded and described as follows, to wit:

Commencing at a point on the Westerly line of Tenth Street distant 85 feet ten and three quarters inches Northerly from the point of intersection of the Westerly line of Tenth Street with the Northerly line of San Salvador Street, thence running Northerly and along the West line of Tenth Street 45 feet; thence at right angles Westerly parallel with San Salvador Street 149 feet; thence at right angles Southerly and parallel with Tenth Street 45 feet; thence at right angles Easterly and parallel with San Salvador Street 149 feet to the point of beginning, being a part of Block 3. Range 10 South of the base line in said City of San Jose.

Acknd. April 25, 1905

Before E. D. Crawford, N.P.

Recorded April 27, 1905

Book 295 Deeds, Page 20

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

T A X E S

S T A T E C O U N T Y A N D C I T Y

Fiscal Years	
1904-1905 to 1908-1909	Paid
1909-1910	Now a Lien

N O J U D G M E N T L I E N S

The foregoing CONTINUATION consisting of pages30 to 32 inclusive made at SAN JOSE, CALIFORNIA, JULY FIRST, 1909 at Nine o'clock A. M.

SAN JOSE ABSTRACT COMPANY

By T C Edwards

Manager

S. H. CHEDA,
PRESIDENT

INCORPORATED MARCH 25TH 1905.

JOHN L. GREER,
SECY AND MGR.

GARDEN CITY ABSTRACT COMPANY

CAPITAL STOCK $50,000.00

SAN JOSE, CALIFORNA

THE UNION LITHO. CO. S.F.

USEFUL INFORMATION FOR EXAMINERS OF TITLES

TOWNSHIP

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

SECTION

1 mile or 80 chains

320 rods or 5280 feet

20 chs.	80 rds.	440 yds.	1320 ft.

40 chains

160 rods

2640 feet

1 rod = 16½ ft. or 25 links.
1 chain = 4 rods or 66 ft. or 100 links.
1 link = 7.92 inches.
1 acre = 43560 square feet.
1 sq. acre = 208.708 ft. x 208.708 ft.

Chs.	Ft.	Chs.	Ft.	Chs.	Ft.	Chs.	Ft.	Chs.	Ft.
1 =	66	21 =	1386	41 =	2706	61 =	4026	81 =	5346
2 =	132	22 =	1452	42 =	2772	62 =	4092	82 =	5412
3 =	198	23 =	1518	43 =	2838	63 =	4158	83 =	5478
4 =	264	24 =	1584	44 =	2904	64 =	4224	84 =	5544
5 =	330	25 =	1650	45 =	2970	65 =	4290	85 =	5610
6 =	396	26 =	1716	46 =	3036	66 =	4356	86 =	5676
7 =	462	27 =	1782	47 =	3102	67 =	4422	87 =	5742
8 =	528	28 =	1848	48 =	3168	68 =	4488	88 =	5808
9 =	594	29 =	1914	49 =	3234	69 =	4554	89 =	5874
10 =	660	30 =	1980	50 =	3300	70 =	4620	90 =	5940
11 =	726	31 =	2046	51 =	3366	71 =	4686	91 =	6006
12 =	792	32 =	2112	52 =	3432	72 =	4752	92 =	6072
13 =	858	33 =	2178	53 =	3498	73 =	4818	93 =	6138
14 =	924	34 =	2244	54 =	3564	74 =	4884	94 =	6204
15 =	990	35 =	2310	55 =	3630	75 =	4950	95 =	6270
16 =	1056	36 =	2376	56 =	3696	76 =	5016	96 =	6336
17 =	1122	37 =	2442	57 =	3762	77 =	5082	97 =	6402
18 =	1188	38 =	2508	58 =	3828	78 =	5148	98 =	6468
19 =	1254	39 =	2574	59 =	3894	79 =	5214	99 =	6534
20 =	1320	40 =	2640	60 =	3960	80 =	5280	100 =	6600

TO REDUCE CHAINS TO FEET.

For even chains, under column headed "Chains," find the number given, and the corresponding feet will be found opposite, under column headed "Feet."

For links (or one-hundredths of a chain) proceed as if they were chains, and divide the result by 100.

If the number given contains both chains and links, the sum of the two, found separately, will be the required number.

Continued by Garden City Abstract Co.

As shown by the Records of the County of Santa Clara, State of California, as to the lot of land situate in the City of San Jose, in said County and State, bounded and described as follows, to wit:-

Commencing at a point on the Westerly line of Tenth Street distant Eighty-five (85) feet and ten and three fourths (10 3/4) inches Northerly from the point of intersection of the Westerly line of Tenth Street with the Northerly line of San Salvador Street; thence running Northerly and along the West line of Tenth Street Forty five (45) feet; thence at right angles Westerly parallel with San Salvador Street One Hundred and Forty-nine (149) feet; thence at right angles Southerly and parallel with Tenth Street Forty-five (45) feet; thence at right angles Easterly and parallel with San Salvador Street One Hundred and Forty-nine (149) feet to the point of beginning.

Garden City Abstract Company
San Jose, California

Being a part of Block Number Three (3) Range Number Ten (10) South of the base line in said City of San Jose.

Subsequent to July 1, 1909

at Nine o'clock A. M.

I N D E X

GRANTOR	GRANTEE	INSTRUMENT	PAGE
		Heading	33.
Desimone et al	Hecker	Deed of Rec.	35.
Hecker et ux	Desimone	Deed of Trust	37.
Desimone	Dougherty	Assignment of Mtg.	39.
		Taxes, etc.	41.

Garden City Abstract Company
San Jose, California

J. A. DESIMONE, Trustee FRANK H. BENSON, Trustee — TO — HENRY HECKER.	DEED OF RECONVEYANCE. DATED: July 8th, 1909. ACKNOWLEDGED: July 8th, 1909. -"that they executed the same, and as Trustee_ as therein set forth" etc. BEFORE: L. L. Benson, N.P. RECORDED: July 8, 1909. LIBER: 348 of Deeds page 339.

Whereas the indebtedness secured to be paid by the deed of trust executed by Albert Ira Smith and Ethel May Smith, his wife, to J. A. Desimone and Frank H. Benson, as Trustees, dated October 8th, 1904 and recorded in the County Recorder's office of the County of Santa Clara, State of California, in Liber ten of Trust Deeds, at Page 331 and following has been fully paid.

Now etc. Do grant, remise, release and reconvey unto Henry Hecker his heirs and assigns, without any warranty, all the estate and interest derived to them the said Trustees by or through said Deed of Trust, in the lands situate in the County of Santa Clara, State of California, and therein described, together with the appurtenances. Special reference being hereby made to said Deed of Trust and the record thereof for a particular description of said

Garden City Abstract Company
San Jose, California

lands.

To Have etc. without any warranty, unto the said Henry Hecker, his heirs and assigns forever.

Garden City Abstract Company
San Jose, California

HENRY HECKER and ETHEL HECKER, his wife first parties — TO — J. A. DESIMONE and FRANK H. BENSON second parties AND JOSEPH DESIMONE third party.	DEED OF TRUST. DATED: July 3rd, 1909. ACKNOWLEDGED: July 6th, 1909. BEFORE: E. D. Crawford, N. P. RECORDED: July 8, 1909. LIBER: 29 of Trust Deeds, page 178.

Do grant, bargain, sell, convey and confirm unto the said parties of the second part, and unto the survivor of them, their successors or assigns, the following described real property situate in the City of San Jose, County of Santa Clara, State of California, to wit:

Commencing at a point on the Westerly line of Tenth Street distant 85 feet and 10 3/4 inches Northerly from the point of intersection of the Westerly line of Tenth Street with the Northerly line of San Salvador Street; thence running Northerly and along the West line of Tenth Street 45 feet; thence at right angles Westerly parallel with

Garden City Abstract Company
San Jose, California

San Salvador Street 149 feet; thence at right angles southerly and parallel with Tenth Street 45 feet; thence at right angles Easterly and parallel with San Salvador Street 149 feet to the point of beginning, being a part of Block 3 Range 10 South of the base line in said City of San Jose.

To secure payment of the sum of $2000.00 three years after date, with interest, according to the terms of a certain promissory note of even date herewith, together with any sum or sums of money, with the interest thereon, that may be paid or advanced by, or may otherwise be due to the parties of the second or third part, under the provisions of this instrument, and also such additional sums as may be hereafter borrowed and received by the said parties of the first part from party of the third part, and evidenced by another promissory note, etc.

Upon trust to be reconveyed to Henry Hecker if payment be made, and upon default thereof, to be sold after due publication, etc.

(For assignment vide page 39 of this Abstract.)

JOSEPH A. DESIMONE LEWIS P. DESIMONE as Executors of the Estate of Joseph Desimone deceased. — TO — ANNA M. DOUGHERTY.	ASSIGNMENT OF TRUST DEED. DATED: November 5th, 1915. ACKNOWLEDGED: November 5th, 1915. BEFORE: H. J. Dougherty, N.P. RECORDED: Nov. 15, 1915. LIBER: R of Assignment of Mortgages page 408.

Know All Men etc: That the undersigned Joseph A. Desimone and Lewis P. Desimone, the duly appointed, qualified and acting Executors of the Estate of Joseph Desimone deceased, under and pursuant to the terms of the decree of distribution duly given and made by the Superior Court of the State of California, in and for the County of Santa Clara, in a proceeding entitled "In the Matter of the Estate of Joseph Desimone deceased" and being number 8960 probate records of said Court, which said decree is dated November 5th, 1915 do by these presents assign and transfer unto Anna M. Dougherty a certain indenture of Trust Deed, bearing date the 3rd day of July 1909, and made and executed by Henry Hecker and Ethel Hecker, his wife, as trustors to Joseph Desimone, as beneficiary, now deceased, and recorded in the office of the County Recorder of Santa Clara County, State of California in Book 29 of Trust Deeds, page 178.

Together with the promissory note therein described and the money due and to grow due thereon, with the interest.

(Note: In the Matter of the Estate of Joseph Desimone, Deceased Probate No. 8960, Joseph A. Desimone and Lewis P. Desimone were appointed Executors June 19th, 1914 and Letters Testamentary were issued to them on the same date, and at the date of above assignment had not been revoked. By the Decree of Distribution entered November 5, 1915 said Note and Deed of Trust were distributed to Anna M. Dougherty and said Executors were authorized to assign same to her.)

Taxes

N. W. corner 10th & San Salvador N. 45 x149.

STATE AND COUNTY AND CITY OF SAN JOSE.

Fiscal Years.

1905-6

— to — Paid.

1914-15

1915-16 Paid. Assessed to Henry Hecker.

1916-17 Now a lien not yet payable.

STREET ASSESSMENTS

$105.10 due on Assessment for the improvement of 10th Street as per Contract between Street Superintendent and the Ransome Crummey Construction Company and a nominal assessment of ten cents for improvement of San Salvador Street.

Paid Dec. 1/1913 to plates Dwyer in City Engineers Office E. Arr.

JUDGMENT LIENS

None.

The foregoing Continuation of Abstract, dated at San Jose, California, this Eighth (8th) day of June A. D. One Thousand Nine Hundred and Sixteen (1916) at Nine o'clock

Garden City Abstract Company
San Jose, California

STATEMENT

Oakland, Cal., 11/26 1918

Henry S Tacker

To **Ransome-Crummey Co.** Dr.

811 Syndicate Building

Telephone Oakland 1510

	Debits	Credits	Balance
Balance as per last Statement.			
assessment 71	10		

Paid

A. M. contains 10 pages numbered from 33 to 42 inclusive.

GARDEN CITY ABSTRACT COMPANY.

By John L. Trust

Manager.

Continuation of the Foregoing Abstract

as to

The Same Property

As shown by the official records of the

County of Santa Clara, State of California.

Subsequent to June 8, 1916 at Nine o'clock A.M.

I N D E X

GRANTOR		GRANTEE	INSTRUMENT	PAGE
			Caption	43
			Index	44
Desimone,J.A.et al	To	H.Hecker	Recon.	45
Hecker,H.et ux	To	O.D.Richardson	D. of T.	46
			Taxes	48

J.A.Desimone and
Frank H. Benson,
as Trustees
TO
Henry Hecker

DEED OF RECONVEYANCE.

Dated June 13, 1916.

Recites: That the indebtedness secured to be paid by the Deed of Trust executed by Henry Hecker and Ethel Hecker, his wife, to J.A.Desimone and Frank H. Benson, as Trustees, dated July 3, 1909 and recorded in the County Recorder's Office of the County of Santa Clara, State of California, in Liber 29 of Trust Deeds, at Page 178 and following, has been fully paid.

Now etc.

Do grant, remise, release and reconvey unto Henry Hecker, his heirs and assigns, without any warranty, all the estate and interest derived to said Trustees by or through said Deed of Trust in the lands situate in the County of Santa Clara, State of California and therein described, together with the appurtenances. Special reference being hereby made to said Deed of Trust and the record thereof for a particular description of said lands.

Acknd. June 13, 1916.

Before H.J.Dougherty, N.P.

Recorded June 13, 1916.

Liber 445 of Deeds, Page 36.

Henry Hecker and
Ethel Hecker, his wife
as Trustors
Owen D. Richardson,
as Trustee
AND
H.J.Dougherty and
Anna M. Dougherty, his wife,
or either of them,
as Beneficiaries.

DEED OF TRUST.

Dated June 9, 1916.

To secure to said Beneficiaries, the payment of a certain promissory note of even date herewith, for the sum of Two thousand (2000.) Dollars, in one year, with interest as therein specified; also the payment of additional sums, not exceeding the sum of $500.00 in the aggregate.

Convey unto said Trustee, and his successors, the following described real property situate in the City of San Jose, County of Santa Clara, State of California:

(Same as in Liber 295 of Deeds, Page 20 Smith to Hecker.)

Upon trust to reconvey all the estate in the premises to Henry Hecker, his heirs and assigns, in case payment be made of all sums due said Beneficiaries, but if default be made in any such payment, said Trustee is empowered to sell the above granted premises at public auction, after giving due public notice.

Acknd. June 9, 1916.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

Before W.P.Pyle, N.P.

Recorded June 13, 1916.

Book 85 of Trust Deeds, Page 37.

T A X E S.

S T A T E C O U N T Y A N D C I T Y.

West 10th.85 feet 10 3/4 inches North San Salvador Street, North 45x149, part Block 3 Range 10 North.

Fiscal Years.

1916-1917)
— TO — : PAID.
1918-1919)

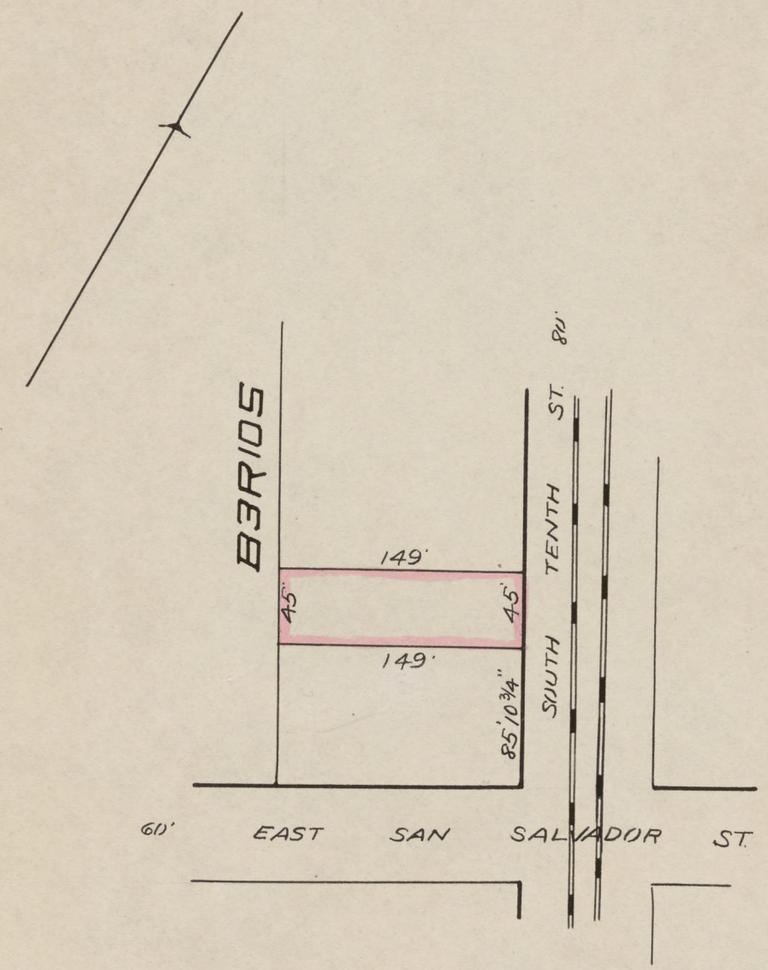
N O J U D G M E N T L I E N S.

The foregoing CONTINUATION consisting of pages 43 to 48 inclusive, made at SAN JOSE, CALIFORNIA, NOVEMBER FIFTEENTH 1918 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY.

By L. Edwards

Manager.



Garden City Abstract Company
San Jose, California

non legenda